IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 433 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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KASTUR DEVAJIBHAI - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR K.T.DAVE, APP. for Respondent(s) : 1,
RULE NOT RECD BACK for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA
Date : 24/03/2006

ORAL JUDGMENT

1 This application is moved by the convict through jail authority seeking parole leave for 60 days for filing appeal in the Supreme Court against order dated 8.9.2004 made by this Court in Criminal Appeal No.963 of 1996. As the record reveals his application for parole on the same ground came to be rejected by the Addl. District Magistrate, Vadodara on 7.12.2005 on the ground that due to elections as the Code of Conduct was in force leave could not be granted.

2 In these circumstances, now that the elections are over the District Magistrate is directed to reconsider the application on merits and decide the same in accordance with law. Subject to the aforesaid direction the petition is disposed of. Rule discharged.

Sd/-
(D.A.MEHTA, J)

m.m.bhatt